

**BEFORE THE BOARD OF EDUCATIONAL EXAMINERS  
OF THE STATE OF IOWA**

RECEIVED  
EXECUTIVE DIRECTOR  
OF EDUCATIONAL EXAMINERS

SEP 28 2022

In the matter of:	)	BOEE Case No. 21-82
	)	Folder # 353036
LINDSEY GELDER,	)	
	)	<b>COMBINED STATEMENT OF</b>
Respondent.	)	<b>CHARGES, SETTLEMENT</b>
	)	<b>AGREEMENT, AND FINAL ORDER</b>

In accordance with the provisions of Iowa Code sections 17A.12(5) and 272.2(4) and 282 Iowa Administrative Code rule 11.4(6), and with full knowledge of the right to demand a formal hearing before the Board upon the pending complaint prior to the imposition of sanction upon her license, the Respondent expressly waives the right to a disciplinary hearing and notifies the Board of her desire to resolve the pending complaint through means of informal disposition.

The Respondent concedes the jurisdiction of the Board for all issues relevant hereto and voluntarily consents to the State's counsel presenting this agreement to the Board with the terms provided. If the Board does not accept the terms of this agreement, the disciplinary hearing will be rescheduled and the stipulations contained herein are not binding upon the Respondent and will not be presented against her at the time of hearing without further agreement of the Respondent.

Board approval of this settlement shall constitute resolution of this matter and will be entered as a FINAL ORDER of the Board.

**NOTICE OF HEARING**

A hearing in this matter will not be held, as the State and Respondent have entered into the following consent agreement in lieu of scheduling a contested case hearing. If the Board does not accept this Combined Statement of Charges, Settlement Agreement, and Final Order, the matter may be set for hearing in accordance with 282 Iowa Administrative Code rule 11.7.

**STATEMENT OF CHARGES**

**Count I**

Respondent is charged with falsifying or deliberately misrepresenting or omitting material information regarding the evaluation of students or personnel, including improper administration of any standardized tests, including, but not limited to, changing test answers, providing test answers, copying or teaching identified test items, or using inappropriate accommodations or modifications for such tests, in violation of 282 Iowa Administrative Code rule 25.3(3)(e).

## **STIPULATIONS**

1. Respondent holds a MASTER EDUCATOR LICENSE (FOLDER # 353036) with the following endorsements: K-6 Teacher Elementary Classroom; 5-8 Middle School Generalist; Professional School Counselor K-8; and Professional School Counselor 5-12. This license is current and will next expire on March 31, 2025.

2. During all material events of this case, Respondent was employed as a Teacher with the South Hamilton Community School District.

3. On May 21, 2021, the Board of Educational Examiners received a complaint against Respondent alleging a violation of the Code of Ethics.

4. On December 10, 2021, the Board found probable cause to proceed to hearing based upon the facts set forth in paragraph 5 below.

5. Investigation revealed that in or around April 2021, Respondent calculated weighted grades for students that were embedded into some students' GPAs even though the District did not utilize weighted grades.

6. Respondent denies any wrongdoing, but admits that if this case proceeded to an administrative hearing, the evidence presented could be sufficient to support a finding that she violated 282 Iowa Administrative Code rule 25.3(3)(e).

## **SETTLEMENT AGREEMENT**

7. This Combined State of Charges, Settlement Agreement, and Final Order constitutes the final resolution of a contested case proceeding and shall have the force and effect of a disciplinary order entered following a contested case hearing.

8. In order to resolve this matter without proceeding to hearing, Respondent agrees to the following conditions:

- a. Respondent accepts a WRITTEN REPRIMAND.
- b. Respondent agrees to successfully complete at least fifteen in-person contact hours in "Ethics for Educators," which is offered by the ISEA, or "Ethical Educators," which is offered by the PEI. Respondent is responsible for all costs associated with the completion of the educational course. Respondent shall provide the Board with proof of completion of the ethics course prior to seeking reinstatement.

## LICENSEE DECLARATION

I understand that this Combined Statement of Charges, Settlement Agreement, and Final Order is subject to the approval of the Board and will have no force or effect if it is not accepted by the Board.

I understand that I have the right to be represented by counsel in this matter.

I understand State's counsel will present this Combined Statement of Charges, Settlement Agreement, and Final Order to the Board ex parte.

I agree to comply with the requirements set forth in the stipulations and requirements of this Combined Statement of Charges, Settlement Agreement, and Final Order and understand that my failure to do so can result in additional discipline of my license(s).

I understand I have an opportunity to be heard and to contest the allegations against me in a formal hearing before the Board and that by waiving the formal hearing, I waive my right to challenge the allegations against me and all attendant rights, including the right to appeal or seek judicial review of the Board's actions.

I understand that this Combined Statement of Charges, Settlement Agreement, and Final Order is a public record, which will become part of my permanent licensure file and will be available for public inspection and reproduction.

I understand that my name will be added to the national clearinghouse database kept by the National Association of State Directors of Teacher Education and Certification (NASDTEC).

9/23/2022  
Date

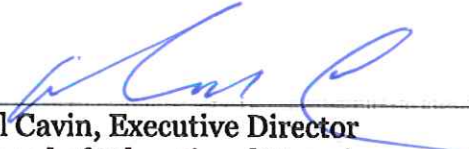
Lindsey Gelder  
LINDSEY GELDER, Respondent

## ORDER

IT IS THE FINAL ORDER OF THE IOWA BOARD OF EDUCATIONAL EXAMINERS THAT:

1. The conduct with which Respondent has been charged constitutes a violation of the Code of Professional Conduct and Ethics governing the teaching profession. Respondent is REPRIMANDED for the charged conduct.
2. Respondent shall successfully complete at least fifteen in-person contact hours in "Ethics for Educators" or "Ethical Educators." Respondent is responsible for all costs associated with the completion of the educational course. Respondent shall provide the Board with proof of completion of the ethics course prior to seeking reinstatement.
3. In determining the appropriate sanction to impose in this case, the Board has considered the nature and seriousness of the allegations as well as mitigating circumstances.

Dated this 14<sup>th</sup> day of October, 2022.

  
Michael Cavin, Executive Director  
Iowa Board of Educational Examiners

Copies to:

Lindsey Gelder  
RESPONDENT

Jeffrey Schultz  
ATTORNEY FOR RESPONDENT

Kristi A. Traynor  
ATTORNEY FOR THE STATE